

MONTEREY COUNTY

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CHARLES J. MCKEE
COUNTY COUNSEL-RISK MANAGER

Michael R. Philippi
Deputy County Counsel

August 27, 2019

Via Email Only

Samuel Sinyangwe
Muckrock.com
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411A Highland Ave.
Somerville, MA 02144
Email: 74696-32601929@requests.muckrock.com

Re: Public Records Act Request of June 5, 2019

Dear Mr. Sinyangwe:

This letter responds to your above-referenced Public Records Act Request made by email, received in our office on June 5, 2019.

Request:

Pursuant to the California Public Records Act, I hereby request the following records:

1. The total number of sheriff's deputy use of force incidents, broken down by type of force used, between 2013-2018 (separated by year).
2. The total number of people that deputies used force against, between 2013-2018 (separated by year).
3. The total number of use of force complaints reported between 2013-2018 (separated by year).
4. The total number of use of force complaints sustained between 2013-2018 (separated by year).
5. The policy manual of the sheriff's department.
6. The current union contract between the city and any sheriff's deputy/police officer unions.

Response:

The County is attaching a copy of a spreadsheet which addresses your requests numbers 1 through 3. The Monterey County Sheriff's Office does not have a document which addresses your request number 4. The results of any investigations concerning a deputy's use of force would be kept in the deputy's personnel file. Pursuant to California Government Code § 6254 (a) and (f) said records are not disclosable under a Public Records Act request.

The Monterey County Sheriff's Office policy manual, the fifth item in your request, can be found on their website. The link is https://www.montereysheriff.org/wp-content/uploads/2016/08/Monterey_County_SO_Policy_Manual.pdf.

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The Monterey County Sheriff's Office does not have any document responsive to item number 6 of your request.

Please be advised that every effort has been made to provide all disclosable records which might fall within the scope of your inquiry. As such, we believe our reply is quite thorough. However, if you have knowledge of a specific document which has not been provided in response to your inquiry, please notify us and we will be happy to provide the document(s) to you unless, of course, it is exempt from disclosure pursuant to Government Code Section 6254.

If you wish to dispute any of the determinations contained in this response to your request(s), please advise us of your legal argument. If you would also please provide us with a cite or legal authority which supports your argument we will be willing to reconsider our opinion.

Sincerely,
CHARLES J. MCKEE
County Counsel-Risk Manager

By: 
MICHAEL R. PHILIPPI
Deputy County Counsel

MRP:mrp

Enclosure (1)